

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF DELAWARE

GLORIA NIEVES and EMILIO NIEVES,

Plaintiffs,

V.

ACME MARKETS, INC., a Delaware corporation §
d/b/a Acme Markets No. 7816, ACME MARKETS, §
INC., a Delaware Corporation d/b/a Acme Markets §
No. 7836, ACME MARKETS, INC., a Pennsylvania §
Corporation, d/b/a Acme Markets No. 7816, §
ACME MARKETS, INC., a Pennsylvania §
Corporation d/b/a Acme Markets No. 7836, §

Defendants.

S, **a**

C.A. Number: 06-123 GMS

Trial by Jury Demanded

NOTICE OF DEPOSITION

TO: Elizabeth A. Malloy, Esquire
Buchanan, Ingersoll & Rooney, P.C.
1835 Market Street, 14th Floor
Philadelphia, Pennsylvania 19103-2985
215-665-5310

PLEASE TAKE NOTICE that the undersigned attorney will take the oral deposition of

the following individuals in the offices of the undersigned on December 18, 2006 as set forth:

9:30 A.M.

Stephen Moyer

11:30 A.M.

Stephen Briely

1:30 P.M.

Barbara Appenzeller

BIGGS AND BATTAGLIA

/s/ Philip Bartoshesky (#2056)

Philip B. Bartoshesky, Esq.

921 North Orange Street

Post Office Box 1489

Wilmington, Delaware 19899

Attorneys for Plaintiffs

December 13, 2006

CERTIFICATE OF SERVICE

I, Philip B. Bartoshesky, do hereby certify that on December 13, 2006, I sent one true and correct copy of the foregoing **NOTICE OF DEPOSITION** via electronic filing to the following:

Elizabeth A. Malloy, Esquire
Buchanan, Ingersoll & Rooney, P.C.
1835 Market Street, 14th Floor
Philadelphia, Pennsylvania 19103-2985
215-665-5310
Attorney for Defendant ACME Markets, Inc.

BIGGS & BATTAGLIA
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December 13 2006